



Office of the Attorney General  
State of Texas

DAN MORALES  
ATTORNEY GENERAL

April 29, 1998

Mr. Tom Garner, Jr.  
Garner, Roberts & Roberts, L.L.P.  
P.O. Drawer J  
Port Lavaca, Texas 77979

OR98-1082

Dear Mr. Garner:

On behalf of the Edna Independent School District (the "school district"), you ask whether certain information is subject to required public disclosure under the Open Records Act, chapter 552 of the Government Code. Your request was assigned ID# 115169.

The school district received a request for information concerning an investigation of a certain school district employee. You state that the school district has released to the requestor two documents. However, you assert that several documents which contain statements of several other school district employees and information about interviews with other such employees are excepted from required public disclosure based on section 552.111 of the Government Code.<sup>1</sup>

Section 552.111 of the Government Code excepts from required public disclosure:

An interagency or intraagency memorandum or letter that would not be available by law to a party in litigation with the agency.

This exception applies to a governmental body's internal communications consisting of advice, recommendations, or opinions reflecting the policymaking process of the governmental body at issue. *See* Open Records Decision No. 615 (1993). An agency's policymaking functions do not encompass routine internal administrative and personnel matter; disclosure of information relating to such matters will not inhibit free discussion among agency personnel as to policy issues. *See id.*

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<sup>1</sup>As the school district has provided proof that its request for a decision was mailed on March 3, 1998, we conclude that this request for a ruling is timely. *See* Gov't Code §§ 552.301 (setting deadline of ten business days), .308.

We have reviewed the information at issue. We conclude that it pertains to personnel matters. Thus, the school district may not withhold the requested information from the requestor based on section 552.111 of the Government Code.

We are resolving this matter with this informal letter ruling rather than with a published open records decision. This ruling is limited to the particular records at issue under the facts presented to us in this request and may not be relied upon as a previous determination regarding any other records. If you have questions about this ruling, please contact our office.

Yours very truly,

A handwritten signature in cursive script, appearing to read "Kay Hastings".

Kay Hastings  
Assistant Attorney General  
Open Records Division

KHH/rho

Ref.: ID# 115169

Enclosures: Submitted documents

cc: Mr. John T. Mixon  
309 Hudson Street  
Edna, Texas 77957  
(w/o enclosures)